

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

JOHNATHAN YASEVICH, *et al.*

PLAINTIFFS

v.

Case No. 3:20-cv-00019 KGB

HERITAGE COMPANY, INC., *et al.*

DEFENDANTS

ORDER

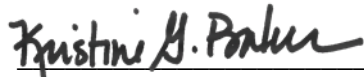
On September 16, 2021, named plaintiffs, each individually and on behalf of all others similarly situated, and defendants The Heritage Company, Inc., and Sandra Franecke filed a joint status report and notice of settlement (Dkt. No. 28). The parties informed the Court that they “are in the process of finalizing settlement terms and . . . anticipate filing a Joint Stipulation of Dismissal with Prejudice” on Monday, November 15, 2021 (*Id.*). The parties’ representations indicate that it is no longer necessary to hold a trial (*Id.*). For this reason, the Court directs the Clerk’s office to remove from the Court’s trial calendar the trial in the above-styled case currently set for Monday, November 15, 2021, and the Court stays all remaining pre-trial deadlines.

On October 18, 2021, the parties submitted a joint stipulation of partial dismissal without prejudice requesting that the Court dismiss several plaintiffs’ claims under the Worker Adjustment and Retraining Notification (“WARN”) Act, 29 U.S.C. § 2101, *et seq.* (Dkt. No. 29). Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Court dismisses without prejudice the WARN Act claims of plaintiffs Jessica Coffey, Homer Coleman, Sherri Denney, Danielle Gross, Heath Hatcher, Johnna Henderson, Christine Jones, Aimee Miliam, Tiauna Murphy, Charlotte Norman, Stephen Parnell, Kadi Stonecipher, Jefferson Tehrell, Corey Throgmartin, Ashley Watts, Heather Whitener, Bertha Williams, and Lilian Wilson (*Id.*, ¶ 1). The parties represent to the Court that these plaintiffs asserted only WARN Act claims, that defendants are

exempt from liability under the WARN Act, and that these plaintiffs therefore may be dismissed without prejudice from this action (*Id.*, ¶¶ 2-4).

The remaining plaintiffs' remaining claims are pending. The Court anticipates that the parties will submit to the Court a joint notice of dismissal after settlement has been finalized (Dkt. No. 28).

It is so ordered this 10th day of November, 2021.

A handwritten signature in black ink, reading "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge